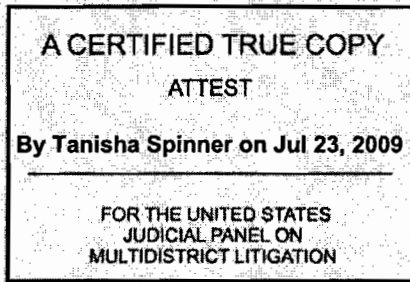


JUDICIAL SWAIN

'09 CIV 6553



UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Jul 23, 2009

FILED  
CLERK'S OFFICE

IN RE: CITIGROUP, INC., AUCTION RATE SECURITIES (ARS)  
MARKETING LITIGATION (NO. II)

K-V Pharmaceutical Co. v. Citigroup Global Markets, Inc.,  
E.D. Missouri, C.A. No. 4:09-309

)  
)

MDL No. 2043

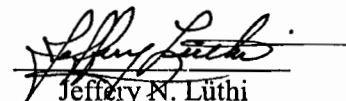
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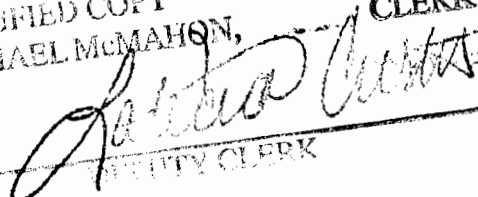
ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*K-V Pharmaceutical*) on June 17, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiff in *K-V Pharmaceutical* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-1" filed on June 17, 2009, is LIFTED. This action is transferred to the Southern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Laura Taylor Swain.

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

A CERTIFIED COPY  
J. MICHAEL McMAHON, CLERK  
BY  JUDICIAL CLERK

**RECEIVED  
BY MAIL**

**JUL 30 2009**

**U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS**

UNITED STATES DISTRICT COURT  
Southern District of New York  
Office of the Clerk  
500 Pearl Street  
New York, N.Y. 10007  
(212) 805-0646

J. Michael McMahon  
Clerk  
USDC EASTERN DISTRICT OF MISSOURI

Date: 07/23/2009

In Re: CITIGROUP, INC. (ARS)  
MARKETING LITIGATION  
MDL 2043

Your Docket #

4:09-309

S.D. OF N.Y.

09 CV 6553

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge SWAIN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting a CERTIFIED COPY OF THE DOCKET SHEET. We will retrieve the documents using our Pacer system. Please note we DO NOT utilize the CM/ECF transfer function.

Sincerely,  
J. Michael McMahon

By: PHYLLIS ADAMIK  
MDL Unit  
(212) 805-0646